

THE CITY OF FREDERICK :
a Municipal Corporation of :
the State of Maryland, et al., : IN THE

Complainants : CIRCUIT COURT

vs. : FOR

: FREDERICK COUNTY, MARYLAND

ALL UNKNOWN EXECUTORS, PERSONAL :
REPRESENTATIVES, DEVISEES, HEIRS :
AT LAW AND ASSIGNS, OF: :
JOHN W. GROVE, Deceased, who :
died 9 December 1957, et al., : EQUITY NO. 33901

Respondents :

FINAL DECREE

Complainants, The City of Frederick and M. S. Milliner Construction, Inc., having filed a Petition to Release Covenants Running With the Land wherein the Complainants named certain known and unknown devisees and heirs of the Estate of John W. Grove, deceased, and others as Respondents; Respondents, having been duly served, failed to appear and/or file objections to the relief prayed, and the property having been duly posted and their being no objection filed by others; testimony having been taken pursuant to Order of this Court: and it appearing from said testimony that the relief sought should be granted, it is, this 22nd day of February, 1984, by the Circuit Court for Frederick County, Maryland, Sitting as a Court of Equity,

ORDERED, ADJUDGED and DECREED, That those Covenants set forth in a Deed from John W. Grove to Alfred G. Zimmerman and Helen G. Zimmerman, his wife, dated 29 February 1940 and recorded among the Land Records of Frederick County, Maryland, in Liber 423, folio 205: to wit:

"FIRST: That said Grantees will not erect any building of any kind whatever, and no fencing, of any kind whatever on said real estate."

and,

"FOURTH: That the said Grantees by the acceptance of this Deed for said real estate, covenant for themselves, their heirs, executors, administrators, devisees, lessees, and grantees, that they will fully and truly comply with and fulfill all the conditions, restrictions and limitations hereinbefore contained, and the same shall be construed to be a covenant running with the land hereby conveyed, binding